

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KAELI GARNER, DOLORES SHEEHAN,
PAUL SHEEHAN, RICKY BABANI,
MICHAEL BATES, DENNIS CROTEAU, and
JEANNETTE CROTEAU, Individually and on
Behalf of All Others Similarly Situated,
Plaintiffs,

v.

AMAZON.COM, INC., a Delaware
Corporation, and AMAZON.COM SERVICES,
LLC, a Washington Limited Liability
Company,

Defendants.

Case No.: 2:21-cv-00750-RSL

**STIPULATED MOTION FOR THE
CONTINUANCE OF FILING A CLASS
CERTIFICATION MOTION**

STIPULATED MOTION

Plaintiffs Kaeli Garner, Mark Fladd, Stephanie Fladd, Jodi Brust, John Dannelly, Diane McNealy, Michael McNealy, Lisa Hovasse, Sandra Mirabile, Ricky Babani, Susan Lenehan, Jeffrey Hoyt, Lorlie Tesoriero, James Robinson, Rosa Comacho, Eric Dlugoss, Julie Dlugoss, Ronald Johnson, Selena Johnson, Caron Watkins, and Kelly Miller (collectively, "Plaintiffs"), and Defendants Amazon.com, Inc. and Amazon.com Services, LLC (collectively, "Amazon," or "Defendants," and together with Plaintiffs, the "Parties") jointly move the Court for an Order to continue the date upon which Plaintiffs shall file their motion for class certification pursuant to Local Civil Rule 23(i)(3).

1 WHEREAS, from June to July of 2021, Plaintiffs filed original complaints against
2 Defendants in this district;

3 WHEREAS, on August 30, 2021, the Court entered a stipulated order stating that, *inter*
4 *alia*, (1) Plaintiffs shall file a consolidated complaint within 30 days of entry of the stipulated
5 order, (2) Defendants shall have 45 days thereafter to file an Answer or Motion in response to the
6 consolidated complaint, (3) if Defendants file a Motion to Dismiss, Plaintiffs shall have 30 days
7 to oppose the motion or file an Amended Consolidated Complaint. *See* ECF No. 21;

8 WHEREAS, on September 2, 2021, Plaintiffs filed a Consolidated Complaint-Class
9 Action. *See* ECF No. 22;

10 WHEREAS, on October 18, 2021, Defendants filed a Motion to Dismiss Plaintiffs'
11 Consolidated Complaint-Class Action. *See* ECF No. 48;

12 WHEREAS, on November 8, 2021, the Court entered a stipulated order stating that, *inter*
13 *alia*, (1) Plaintiffs shall file a First Amended Complaint on November 17, 2021, (2) Defendants
14 shall have until December 15, 2021 to file an Answer or a Motion in response to an amended
15 consolidated complaint, (3) Plaintiffs shall have until January 12, 2022 to file an Opposition to any
16 Motion, (4) Defendants shall have until January 28, 2022 to file a Reply brief. *See* ECF No. 51;

17 WHEREAS, on November 17, 2021, Plaintiffs filed a First Amended Consolidated
18 Complaint-Class Action. *See* ECF No. 59;

19 WHEREAS, under Local Rule 23(i)(3), there is a deadline to file a motion for class
20 certification within 180 days of filing a complaint;

21 WHEREFORE, in light of the recently filed First Amended Consolidated Complaint-Class
22 Action, and the Court's November 8, 2021 order, including the schedule for Defendants' Motion
23 to Dismiss, counsel for the parties agree that good cause exists to continue the date upon which
24 the Plaintiffs shall file their motion for class certification pursuant to Local Civil Rule 23(i)(3).

25 The parties stipulate and request that the Court continue the deadlines for class certification
26 briefings until after the Court rules on Defendants' forthcoming Motion to Dismiss.

1 Dated: December 6, 2021

Respectfully submitted,

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Dated: December 6, 2021

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Attorneys for Defendants
AMAZON.COM, INC. and
AMAZON.COM SERVICES, LLC

ORDER

Having reviewed the parties' stipulation, and finding that good cause exists for the requested relief from LCR 23(i)(3), the deadline for filing a motion for class certification in the above-referenced action is hereby continued until after the Court rules on Defendants' Motion to Dismiss, which is scheduled to be fully briefed and ready for consideration no later than January 28, 2022. Within seven days of the Court's ruling on the motion to dismiss, the parties shall confer and propose a schedule for the class certification briefing.

IT IS HEREBY ORDERED.

Dated this 7th day of December, 2021.


HONORABLE ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE